

INTERNATIONAL SEARCH REPORT

Rec'd PCT/PTO 24 JAN 2005
 International Application No
 PCT/IB 03/02962

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 A61K9/20 A61K31/165

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, MEDLINE, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	ANONYMOUS: "Provigil-TM (modafinil) Tablets" INTERNET ARTICLE, 'Online! 1998, XP002259585 Retrieved from the Internet: <URL:http://www.fda.gov/cder/foi/label/1998/207171b1.pdf> 'retrieved on 2003-10-29! page 1, paragraph 1 - paragraph 3 page 10, paragraph 5 ---	1,6-8, 11, 17-19, 22-26, 31-33, 44,49, 51,54
X	FR 2 702 968 A (LAFON LABOR) 30 September 1994 (1994-09-30) examples 16,17 --- -/--	1,6-8, 11,15, 16,21, 24,25, 44,49, 51,54

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

29 October 2003

Date of mailing of the international search report

12/11/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
 NL - 2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Epskamp, S

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/IB 03/02962

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02 30414 A (CEPHALON INC) 18 April 2002 (2002-04-18) page 3, line 1 - line 28 examples	1,7,11, 13-15, 22,24, 25,44, 49,51,54
A	GB 2 293 103 A (CEPHALON INC) 20 March 1996 (1996-03-20) claims & US RE37516 E 15 January 2002 (2002-01-15) cited in the application	1-54
P,X	WO 02 096401 A (CEPHALON INC) 5 December 2002 (2002-12-05) examples	1,6-8, 11, 16-18, 21-26, 31-34, 37,44, 49,51,54

BEST AVAILABLE COPY

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 39-43 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 03/02962

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
FR 2702968	A	30-09-1994	FR 2702968 A1	30-09-1994
			AT 153562 T	15-06-1997
			CA 2156915 A1	29-09-1994
			DE 69403463 D1	03-07-1997
			DE 69403463 T2	15-01-1998
			DK 690747 T3	22-12-1997
			EP 0690747 A1	10-01-1996
			ES 2105663 T3	16-10-1997
			WO 9421371 A1	29-09-1994
			GR 3024243 T3	31-10-1997
			JP 8507940 T	27-08-1996
			US 5843347 A	01-12-1998
WO 0230414	A	18-04-2002	AU 1167702 A	22-04-2002
			CA 2425338 A1	18-04-2002
			EP 1330244 A1	30-07-2003
			NO 20031647 A	04-06-2003
			WO 0230414 A1	18-04-2002
			US 2002098240 A1	25-07-2002
GB 2293103	A	20-03-1996	US 5618845 A	08-04-1997
			AT 188607 T	15-01-2000
			AT 199216 T	15-03-2001
			AU 3509099 A	19-08-1999
			AU 703087 B2	18-03-1999
			AU 3951495 A	02-05-1996
			BG 62952 B1	29-12-2000
			BG 101389 A	30-12-1997
			BR 9509257 A	07-07-1998
			CA 2201967 A1	18-04-1996
			CA 2382275 A1	18-04-1996
			CZ 9701032 A3	17-09-1997
			DE 69514497 D1	17-02-2000
			DE 69514497 T2	10-08-2000
			DE 69520161 D1	29-03-2001
			DE 69520161 T2	02-08-2001
			DK 731698 T3	08-05-2000
			DK 966962 T3	19-03-2001
			EE 9700082 A	15-10-1997
			EP 1088549 A1	04-04-2001
			EP 0731698 A1	18-09-1996
			EP 0966962 A1	29-12-1999
			ES 2142499 T3	16-04-2000
			ES 2156457 T3	16-06-2001
			FI 971417 A	04-04-1997
			GR 3033152 T3	31-08-2000
			GR 3035451 T3	31-05-2001
			HK 1024625 A1	28-09-2001
			HK 1003561 A1	30-10-1998
			HU 77778 A2	28-08-1998
			JP 2915146 B2	05-07-1999
			JP 9511754 T	25-11-1997
			KR 249360 B1	01-04-2000
			LT 97060 A , B	27-10-1997
			LV 11852 A	20-10-1997
			LV 11852 B	20-03-1998
			NO 971541 A	04-06-1997
			NZ 295869 A	26-02-1998

BEST AVAILABLE COPY

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 03/02962

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
GB 2293103	A		PL 319480 A1	04-08-1997
			PT 731698 T	31-05-2000
			PT 966962 T	29-06-2001
			SI 9520106 A	28-02-1998
			SK 44597 A3	10-09-1997
			WO 9611001 A1	18-04-1996
			US RE37516 E1	15-01-2002
WO 02096401	A	05-12-2002	US 2003022940 A1	30-01-2003
			WO 02096401 A1	05-12-2002

BEST AVAILABLE COPY